

**CENTRAL INFORMATION COMMISSION
BLOCK IV, OLD JNU CAMPUS, NEW DELHI 110067**

F.No.PBA/06/163
September 25, 2006

**Appeal No. 115 /ICPB/2006
In the matter of Right to Information Act, 2005 – Section 19.**

Appellant: Shri. H.K. Bansal

Public authority: Ministry of Communication & IT
Shri H.C. Jayal, Joint Secretary & CPIO
Shri. Yaswant S. Bhave, Spl. Secretary & Appellate Authority.

FACTS:

The appellant in this matter has sought information from the CPIO relating to the regularization in the post of Supdt. Engineer (Civil) and adhoc promotion to the grade of CE(C). Having not satisfied with the information furnished by the CPIO, the appellant preferred his first appeal dated 26.5.06 to the appellate authority which supplied all the information vide its letter dated 10.8.2006. Having still not satisfied with the information supplied, the appellant has filed his second appeal before the Commission on 11.7.06. Comments were called for wherein it is stated that in the information furnished by the CPIO and the appellate authority, all information sought for by the appellant has been furnished except the minutes of the meeting held in UPSC. In the rejoinder, the appellant has contended that the minutes of the meeting in UPSC cannot be withheld.

DECISION:

I have perused the application and also the information furnished by CPIO and the appellant authority. On receipt of CPIO's reply, in his appeal, the appellant had elaborately dealt with the deficiency in the reply furnished by CPIO. The appellate authority has dealt with each and every point raised by the appellant and wherever there was a deficiency, correct information has been furnished to the appellant. The only information which was not furnished relates to the DPC minutes and connected files. . As far as the DPC minutes are concerned, in Shri Gopal Kumar V Army HQ (Appeal No CIC/AT/A/2006/0009 dated 13/7/2006, a Division Bench of this

Commission has held “*Departmental Promotion committees prepare their minutes after examining ACRs of employees due for promotion. Disclosure of the complete proceedings of the DPC and the grades given by various officers to their subordinates may lead to the disclosure of ACRs. Since ACRs themselves according to us are barred from disclosure, we hold that by inference, DPC proceedings should be similarly barred*”. The same decision applies in the present case also and therefore, both the CPIO and the AA have rightly declined to disclose the documents connected with the DPC.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(L. C. Singhi)
Addl. Registrar

Address of parties :

1. Shri H.C. Jayal, Joint Secretary & CPIO Deptt. of Telecommunications, Ministry of Communication & IT, Sanchar Bhawan 20, Ashoka Road, New Delhi-110001
2. Shri Yashwant S. Bhave, Special Secretary & Appellate Authority Deptt. of Telecommunications, Ministry of Communication & IT, Sanchar Bhawan 20, Ashoka Road, New Delhi-110001
3. Shri H.K. Bansal, R/o Kanta Niwas, 1011/24 Jagdish Colony Rohtak 124001